United Nations A/61/1046

General Assembly

Distr.: General
12 September 2007

Original: English

Sixty-first session
Agenda item 27
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 11 September 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General

I would like to draw your attention to the issue of the illegal acquisition of property in the territory of Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia.

In the mission to solve territorial conflicts peacefully, the protection of human rights and the interests of internally displaced persons are a topmost priority for the Government of Georgia. First, this concerns the inalienable right of internally displaced persons and refugees to voluntarily return to the entire territory of Abkhazia, Georgia, in safety and dignity. The same is true of the Tskhinvali region/South Ossetia.

Both Abkhazia and the Tskhinvali region/South Ossetia are indivisible parts of the Georgian State and its internationally recognized borders and are within Georgian jurisdiction. For the time being, de facto territories of the regions are temporarily and illegally under control of separatist regimes.

Among other consequences of this state of affairs, the process of an illegal acquisition of private and governmental property (hotels, sanatoriums, tourist centres, factories, coal layers) has been long ago launched by the leaders of the separatist regimes.

Immovable property of the Georgian State and internally displaced persons is being illegally seized by new "proprietors", who try to change the locations of buildings, the names and numbering of the streets and the exteriors of houses so that the owners and their legitimate heirs could hardly claim their rights to their real estate, due to an inability to identify it.

With the aim of implementation of existing Georgian legislation, in order to ensure the protection of the right in question and to protect legitimate interests of Georgian citizens and the State itself, the Presidential programme entitled "My House" has been developed.

07-50323 (E) 170907

According to the Georgian legislation, any investment made in the territory of Abkhazia, Georgia, is deprived of any legitimate basis and is a priori declared null and void. It means that any current investor puts himself at risk of losing the invested money.

There will be no justification for the outside investors, since the international community is properly informed of the illegal nature of any transactions carried out in Abkhazia without the preliminary consent of the Georgian side. Thus, in the case of further investments, an investor who has been preliminarily and adequately notified of the impermissibility of the transactions in question may face a possibility of civil liability or even criminal responsibility.

Implementation of the Georgian legislation enables the internally displaced persons and other natural or legal persons to claim their immovable property on the uncontrolled territories according to the rules and forms approved by the Minister of Refugees and Accommodation of Georgia.

Abkhazia is a conflict zone, where there is a very high crime rate, including kidnapping, abduction for the purpose of ransom and the like. The human rights of the local population are being grossly violated on a daily basis.

A potential investor who wishes to make his or her money work in Abkhazia should be fully aware that the above-mentioned property is "trophy" and he or she will have to make deals with a separatist regime involved in ethnic cleansing, which is confirmed by documents of the Lisbon, Istanbul and Budapest summits of the Organization for Security and Cooperation in Europe, and that a considerable amount of the property that is the subject of illegal deals belongs to Georgian citizens forcibly expelled from Abkhazia.

I should be grateful if the present letter were circulated as a document of the sixty-first session of the General Assembly, under agenda item 27.

(*Signed*) Irakli **Chikovani**
Chargé d'affaires a.i.